

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

MIKE JOSEPH, and **MARIO RAY**,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

**VELOCITY THE GREATEST PHONE
COMPANY EVER, INC.**, a Delaware
Corporation, **GLOBAL GATEWAY
EXCHANGE, LLC**, an Ohio corporation, and
I.T.S. TECHNICAL RESOURCES, INC.
**d/b/a INTEGRATED TALENT
STRATEGIES**, an Ohio corporation,

Defendants.

CASE NO. 3:18-cv-01174

JUDGE JAMES G. CARR

CONSENT ORDER

This matter comes before the Court following the Consent Order entered regarding Conditional Certification and Court-Authorized Notice Under 216(b) of the FLSA. The Plaintiffs and Defendants have agreed to the form of the Notice and Consent forms attached hereto as Exhibit 1 and to all other procedural matters related to the issuance of the Notice, including:

- (i) Plaintiffs' counsel will distribute Notice by U.S. Mail and email to the LFEs for whom email addresses have been provided within three (3) business days of receiving the class list from Defendants, which, pursuant to Docket 30, is to be produced by January 9, 2019.
- (ii) Mailed Notice will also include a Consent form and self-addressed stamped return envelope. Emailed Notice will include an attached .pdf Consent form with the recipient's name already printed in the document such that it cannot be changed and will be accompanied by an email directly from Plaintiff's counsel's electronic signature and

online submittal vendor (<http://www.signnow.com>) containing a recipient-specific URL link allowing for electronic signature and submittal directly online.

- (iii) The outside of the mailing envelope for the mailed Notice, and the subject line of the email for the emailed Notice, shall state: “Notice of Unpaid Overtime Lawsuit- Deadline to Join.”
- (iv) Plaintiffs will provide Defendants notice of any mailed Notice that was not also sent via email that is returned as undeliverable with no forwarding address within three (3) days of receipt of such undeliverable notice, and, within three (3) days of receipt of notice from Plaintiffs, Defendants will provide the last known mobile telephone number of that individual so that Plaintiffs can send the following message to the individual via text message:

Notice of Unpaid Overtime Lawsuit against Velocity, ITS, and GGE– Deadline to Join. You are receiving this text because the Court ordered us to send you notice of your rights to join a lawsuit, but our mail was returned undeliverable due to a bad address. Please send us your correct address and/or email address by responding to this text so that we can send you what the Court ordered you to receive.

The Court hereby authorizes the Notice and Consent forms attached as Exhibit 1 for distribution to potential opt-in Plaintiffs by U.S. mail and/or email using the procedures described above. The Court further approves notice recipients to electronically sign and submit their Consent forms to Plaintiffs’ counsel via SignNow.

SO ORDERED this the _14th day of January, 2019.

/s/ James G. Carr
The Honorable James G. Carr
United States District Court Judge
Norther District of Ohio

EXHIBIT 1

**A COURT AUTHORIZED THIS NOTICE.
THIS IS NOT A SOLICITATION FROM A LAWYER.**

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CASE NO. 3:18-cv-01174

JUDGE JAMES G. CARR

NOTICE OF RIGHTS TO JOIN OVERTIME LAWSUIT

This is to notify you of your right to join and participate in a lawsuit alleging unpaid overtime against Velocity the Greatest Phone Company Ever, Inc. (“Velocity”), Global Gateway Exchange, LLC (“GGE”), and I.T.S. Technical Resources, Inc. d/b/a Integrated Talent Strategies (“ITS”) (collectively “Defendants”) under the Fair Labor Standards Act (“FLSA”) and to explain how you can join and participate in the litigation if you desire to do so.

Mike Joseph and Mario Ray (the “Representative Plaintiffs”) filed a lawsuit (the “Lawsuit”) against the Defendants alleging that the Defendants violated federal and state overtime wage laws by paying Lead Field Engineers (“LFEs”) who performed work for Velocity as salaried but ineligible for overtime pay, despite requiring them to work over 40 hour weeks. The Defendants deny the allegations in the lawsuit.

1. Why did I receive this Notice?

You are receiving this Notice because according to the Defendants’ records, you are eligible to join and become a party to the Lawsuit because you worked for the Defendants as a LFE who performed work for Velocity at any time during the preceding three years and were paid as salaried but ineligible for overtime pay when you worked over 40 hours in a work week. You do not need to have any of your pay records or other any documents to join.

2. What happens if I join this Lawsuit?

If you join the Lawsuit, you will be bound by its outcome, whether it is favorable or unfavorable. If the Representative Plaintiffs are successful in recovering a money judgment or settlement from Defendants, you will also be bound by any such judgment or settlement and will share in the amount recovered by the Representative Plaintiffs. You may also be required to participate in written discovery, appear for deposition, and/or appear for trial in the Northern District of Ohio.

3. Who will be my lawyers if I join the lawsuit, and how will the lawyers be paid?

If you join the Lawsuit, the Representative Plaintiffs' attorneys will represent you on a contingent fee basis. This means that the lawyers will be paid only if there is a monetary recovery and their fees will be a percent or portion of the recovered amounts. If there is no recovery, you will not have to pay any attorney's fees and you will not owe the Representative Plaintiffs' attorneys anything. No matter the outcome of the lawsuit, you will not have to pay the Representative Plaintiffs' attorneys anything out of your own pocket.

4. How do I join in the Lawsuit?

If you want to join this lawsuit, you must read, sign and return the Consent Form within 60 days of the date of this notice, which means no later than , 2019. You may do this in any of the following ways.

You may join the lawsuit online. To do this, click the link in the email you will receive from <http://www.signnow.com> and follow the directions for filling out and electronically signing and submitting the Consent Form. If you wish to join the lawsuit but you do not receive an email from <http://www.signnow.com> containing a link allowing you to electronically sign and submit a Consent to Sue form online, check your email spam/junk folder, or notify Plaintiffs' attorneys.

Or, you may mail the completed Consent form postmarked within 60 days from the date of this Notice, or fax the completed Consent Form, or scan and email it, or legibly photograph it and email the photo, to the Representative Plaintiffs' attorneys as follows:

HEAD LAW FIRM, LLC
Attn: Bethany Hilbert
4422 Ravenswood Ave.
Chicago, IL 60640
Tel: (312) 690-7765
Fax: (404) 796-7338
bhilbert@headlawfirm.com

Again, your signed Consent form must be time-stamped (for emails and facsimiles), postmarked (for U.S. Mail), or received on the web portal (for electronically signing via the web portal) no later than , 2019, in order to be eligible to participate in the Lawsuit.

5. What happens if I do not join this Lawsuit?

If you choose not to join the Lawsuit, you will not be entitled to share in any judgment rendered or settlement reached in this case, whether favorable or unfavorable, and you will not receive any money from this Lawsuit in the event of a settlement or an award. If you choose not to join this lawsuit, you will not be affected by any ruling, judgment, or settlement, entered in this case regarding your FLSA claims, favorable or unfavorable. If you choose not to join this lawsuit, you are free to take action on your own or do nothing at all. However, the FLSA has a maximum statute of limitations of two or potentially three years running from each pay date; therefore, if you choose not to join in this lawsuit some or all of your potential claims may later be barred by the FLSA's applicable statute of limitations, which will not stop running on any claims you may have unless and until you join this lawsuit or file your own claim in court.

6. Can the Defendants retaliate against me for joining this lawsuit?

Federal law forbids Defendants from retaliating or discriminating against you in any way for joining or participating in this Lawsuit.

7. Where can I get more information?

If you have any questions about this Notice or the Lawsuit, please write, call, or email the Representative Plaintiffs' attorneys. The contact information is listed below:

Bethany Hilbert
HEAD LAW FIRM, LLC
4422 Ravenswood Ave.
Chicago, IL 60640
Tel: (312) 690-7765
Fax: (404) 796-7338
bhilbert@headlawfirm.com

Contacting the Representative Plaintiffs' lawyers is free and confidential.

THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE U.S. DISTRICT COURT. THE COURT HAS EXPRESSED NO OPINION REGARDING THE MERITS OF THE PARTIES' CLAIMS OR DEFENSES. PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.

CONSENT TO JOIN OVERTIME LAWSUIT

I hereby consent to join this lawsuit for unpaid overtime against Velocity the Greatest Phone Company Ever, Inc., and/or Global Gateway Exchange, LLC, and/or I.T.S. Technical Resources, Inc. d/b/a Integrated Talent Strategies, and any affiliates (“Defendants”) under the Fair Labor Standards Act (“FLSA”) and, if applicable, under the supplemental California state law claims.

I hereby designate the Representative Plaintiffs as my agents to make decisions on my behalf concerning this overtime case against Defendants, including conducting this litigation, settlement negotiations, and all other matters pertaining to these claims against Defendants. I understand that if I file this Consent, I will be bound by the decisions made and agreements entered by the Representative Plaintiffs and Class Counsel.

I understand that the Representative Plaintiff has entered into a contingency fee agreement with Head Law Firm, LLC (“Class Counsel”), which applies to all plaintiffs who file this consent, and by filing this consent I agree to be bound by such contingency fee agreement. I understand that I may obtain a copy of the contingency fee agreement by requesting it from Class Counsel.

I acknowledge that I will be bound by any judgment or any settlement reached between the Representative Plaintiffs and Defendants. I understand that I will be entitled to share in any class recovery, but if no monetary judgment or settlement is obtained, I will receive nothing.

Signature: _____

Date: _____

Printed Name: _____

IMPORTANT: RETURN FOR FILING BEFORE _____, 2019

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION:

This information will not be made part of any public record and is for your attorney's eyes only, as necessary for your attorney's files for litigation and possible settlement purposes.

Full Name: _____

Job Title(s) at Velocity During Last 3 Years and Dates of Employment for each position:

Any other Name(s) used or known by: _____

Street Address: _____

Mailing Address: _____

City, State & Zip Code: _____

Daytime Telephone: _____

Evening Telephone: _____

Cellular Telephone: _____

Personal E-Mail Address: _____

Return this form with your signed Consent by filling out electronically at [DocuSign or other electronic signature portal] or by fax, email, or mail to:

C. Andrew Head
Bethany Hilbert
HEAD LAW FIRM, LLC
4422 N. Ravenswood Ave.
Chicago, IL 60640
Telephone: (404) 924-4151
Facsimile: (404) 796-7338
Email: ahead@headlawfirm.com
bhilbert@headlawfirm.com

IMPORTANT: RETURN FOR FILING BEFORE _____, 2019